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JC873 U.S. PTO

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PATENT

Docket No. 3845-4001

Express Mail Label No. EJ 606 940 626 US

JC873 U.S. PTO
09/621223
07/21/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

COMMISSIONER OF PATENTS
Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and
Address(es): Abby AYOUB

For: OPTICAL LENS COATING

Enclosed are: _____

[X] 8 page(s) of specification, 1 page(s) of Abstract, 2 page(s) of claims

[X] 2 sheets of drawing [X] formal [] informal

[X] 6 page(s) of Declaration and Power of Attorney

[] Unsigned
[X] Newly Executed
[] Copy from prior application

[] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

[] Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

[] Microfiche Computer Program (Appendix)

[] _____ page(s) of Sequence Listing

[] computer readable disk containing Sequence Listing
[] Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same



- ☐ Claim for Priority
- ☐ Certified copy of Priority Document(s)
 - ☐ English translation documents
- ☐ Information Disclosure Statement
 - ☐ Copy of ____ cited references
 - ☐ Copy of PTO-1449 filed in parent application serial No. _____.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ Assignment Papers (assignment cover sheet and assignment documents)
 - ☐ A check in the amount of \$40.00 for recording the Assignment.
 - ☐ Assignment papers filed in parent application Serial No. _____.
 - ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. _____.
- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☐ The status of the parent application is as follows:
 - ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
 - ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
 - ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
 - ☐ Transfer the drawing(s) from the patent application to this application.

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- ☐ Amend the specification by inserting before the first line the sentence:
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial
No. _____ filed _____.

I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)


	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	16	-20=	- 0 -	x\$18.00 \$- 0 -
Independent Claims	2	- 3=	- 0 -	x78.00 \$- 0 -
Multiple Dependent Claims	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no			Additional Fee = \$260.00 Add'l Fee = NONE \$- 0 -

Total: \$ 690.00

- ☒ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \$345.00.
- ☒ A check in the amount of \$ \$345.00 in payment of the application filing fees is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3845-4001. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: 
Gerard A. Haddad
Registration No. 41,811

Dated: July 21, 2000

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No.: EJ 606 940 626 US

PATENT

Docket No. 3845-4001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Abby AYOUB Group Art Unit: TBA
Serial No. or Patent No. : TBA Examiner: TBA
Filed : JULY 21, 2000
For : OPTICAL LENS COATING

STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS 37 CFR §1.97(f) AND §1.27 (b)) – INDEPENDENT INVENTOR

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR § 1.9© for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

OPTICAL LENS COATING

described in

☒ [X] the specification filed herewith

☐ [] application Serial No. _____, filed _____

☐ [] Patent No. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract to law to assign, grant, convey or license any rights in the invention is listed below:

☒ [X] no such person, concern or organization

☐ [] persons, concerns or organizations listed below *

NAME _____

ADDRESS _____

☐ [] Individual ☐ [] Small Business Concern ☐ [] Nonprofit Organization

* NOTE: Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27)

Docket No. 3845-4001

NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (CFR § 1.26(b))

Abby AYQUE

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Abby Ayoub
Signature Of Inventor

Signature Of Inventor

Signature Of Inventor

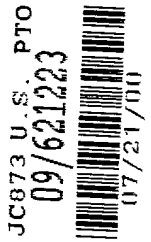
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Rev. 05/26/98

Docket No.: PATENT
3845-4001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Abby AYOUB
Serial No. : TBA Group Art Unit: TBA
Filed : July 21, 2000 Examiner: TBA
For : OPTICAL LENS COATING

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EJ 606 940 626 US

Date of Deposit July 21, 2000

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application And Application Fee Transmittal (1.53(b)) Form, including check for \$345.00 (Small Entity Filing Fee);
2. Patent Application: 8 pages of specification, 1 page of Abstract, 2 pages of claims (16 claims);
3. 6 pages of Facsimile Executed Declaration and Power of Attorney;
4. 2 sheets of Formal Drawings (Figs. 1, 2(a), 2(b) and 3);
5. Statement (Declaration) Claiming Small Entity Status – Independent Inventor; and
6. SELF-ADDRESSED RETURN POSTCARD

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Francisco J. Garcia

(Typed or printed name of person
mailing paper(s) and/or fee)

Francisco J. Garcia

(Signature of person mailing
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT APPLICATION

Optical Lens Coating

Inventor:

Abby Ayoub

Field of the Invention

The invention relates to optical lens coatings, in particular the application of a coating to an optical lens used in eyeglasses.

Background

Eyeglass lenses set in frames have aesthetic problems. Often the lens is thicker than the frame, and the edge of the lens has a noticeable white film. Viewing eyeglasses from the side, the edge of the lens can extend beyond the edge of the frame, thus making the eyeglasses less cosmetically appealing because the white filmy edge contrasts with the color of the frame.

One solution is to polish the edge of the lens to eliminate the white film. Polishing is often used with rimless frames. However, polishing the edge of a lens used in a frame other than a rimless frame can make the edge of the lens stand out even more. Further, polishing the edge of the lens can allow more light to enter the lens from the side, thereby increasing the glare to the wearer's eye.

Summary

It would be desirable to have a technique to enhance the cosmetic appearance of eyeglasses by reducing the appearance of

the white film on the edge of an optical lens and reducing the appearance of the white ring appearing along the perimeter of the face of an optical lens.

By applying a colored coating to the edge of an optical lens, the cosmetic appearance of eyeglasses may be enhanced by reducing the appearance of the white film on the edge of an optical lens and by reducing the appearance of the white ring along the perimeter of the face of an optical lens, and the glare of the optical lens produced by light entering through the edge of the lens may be reduced.

It is to be understood that both the foregoing general description and the following detailed description are exemplary and explanatory and are intended to provide further explanation of the invention as claimed.

Detailed Description

Many people with strong eyeglass prescriptions avoid wearing glasses because their lenses are thicker than the frame in which the lenses sit. Such lenses are quite noticeable because the white film that appears on the edge of the lens contrasts with the color of the eyeglass frame. One embodiment of the invention is directed to enhancing the cosmetic appearance of eyeglasses by reducing the appearance of this white film that appears on the edge of the lens applying a

colored coating to the edge of the lens, the colored coating matching the color of the frame into which the lens will sit.

The fashion industry has avoided using eyeglasses in photo shoots because of reflections in the lenses. When a particular photo requires the model to wear glasses, the lenses of the frames are traditionally removed for a number of reasons. One reason the fashion industry removes the lenses due to the glare from light reflecting off the surface of the lens. Anti-glare coating can reduce the amount of the light that reflects off the surface of the lens. However, there is also a white ring that appears along the perimeter of the face of the lens due to light entering through the edge of the lens. The edge of the lens allows light to pass through it which creates the appearance of the white ring around the perimeter of the face of the lens. This ring appearing along the perimeter of the lens face is visible to both the eyeglass wearer and others.

In a first embodiment, an opaque colored coating is applied to the edge of the lens to reduce the amount of light passing through the edge of the lens, thereby reducing the appearance of the white ring otherwise appearing along the perimeter of the lens face.

In a second embodiment, a translucent colored coating is applied to the edge of the lens to allow some light to pass

through, giving the lens a colored hue while still achieving the beneficial results.

In a third embodiment, a colored coating is chosen that contrasts with the color of the frame, giving the eyeglass wearer an additional fashion choice yet still providing the benefits of reducing the appearance of the white ring appearing along the perimeter of the lens face.

The first embodiment will now be discussed with reference to figures 1, 2a and 2b. This embodiment addresses the problems caused by the white film on the edge of the lens. Figure 1 is a three-dimensional drawing of eyeglass lens 100 having edge 110 and face 120.

Figure 2a is a side view of eyeglasses 200 having lens 100 sitting in frame 210. Lens 100 is shown with edge 110 and face 120. Lens 100 is thicker than frame 210, as shown by lens edge 110 extending beyond the borders of frame 210. In one embodiment, a colored coating is applied to lens edge 110. The color of the coating matches the color of frame 210 into which lens 100 will be inserted. By coloring edge 110 of lens 100 to match the color of frame 210, lens edge 110 cosmetically blends in with frame 210 making lens edge 110 much less noticeable from the side.

Figure 2b is a front view of eyeglasses 200. Frame 210 has a lens having face 120. White ring 220 on lens face 120

encircles the perimeter of lens face 120 when light passes through lens edge 110 (shown in Figure 2a). In this embodiment, applying an opaque coating to lens edge 110 (shown in Figure 2a) blocks light from entering through lens edge 110, which reduces or eliminates the appearance of white ring 220 on lens face 120. Cosmetically, lens face 120 now appears to extend all the way to frame 210 without the appearance of white ring 220 running along the perimeter of lens face 120.

The second embodiment will now be described with reference to Figures 1, 2a and 2b. In this embodiment, an opaque colored coating is applied to lens edge 110 that does not match the color of frame 210. This unmatched color enables lens edge 110 to cosmetically contrast with the color of frame 210. The contrasting opaque colored coating in this embodiment still blocks light from entering lens edge 110 thereby reducing the appearance of white ring 220.

The third embodiment will now be described with reference to Figures 1, 2a and 2b. In this embodiment, a translucent colored coating is applied to lens edge 110. Such a translucent color allows some light to enter lens 100 through lens edge 110. When lens 100 having a translucent colored coating on lens edge 110 is placed in frame 200 and viewed from the front of glasses 200, lens face 120 takes on the hue of the translucent colored coating.

One embodiment of the colored coating comprises a commercially available acrylic enamel paint or a commercially available fingernail enamel. The color of the coating may be custom mixed to match each frame style and color. Alternatively, the color can be chosen by the customer, as can whether the coating will be opaque or translucent. Optical lens scratch-coating can optionally be added to the colored coating mix which adds strength to the coating.

In an alternate embodiment, the color of the coating is matched to the color of the frame using a color matching computer system which determines the amounts of different paints to mix together to match the color of a frame placed under its sensor.

One embodiment of a method of applying the coating to a lens will now be described with reference to Figure 3. First, the lens is "edged" to the chosen frame, meaning it is cut to fit a particular frame (Step 305). Next, the lens is "saftied", meaning the sharp edge of the lens is removed so it doesn't pose a hazard to the wearer (Step 310). The lens is then wiped down with alcohol to ensure it is clean (Step 315). Enamel paint is then mixed to create the desired color of the coating (Step 320). The colored coating is then applied to the lens edge 110 using a paint brush or other paint applicator (Step 325). The lens is then allowed to dry (Step 330). An optional second coat

of the colored coating is then applied to lens edge 110, and the lens is again allowed to dry (Steps 235 and 240). Any excess colored coating that may have spilled on to face 120 of the lens is removed using commercially available paint thinner which may be acetone-based or non-acetone-based. The lens is then placed under an ultraviolet light to help the colored coating to dry (Step 245). Alternatively, the lens may be placed in a hot air blower or a frame warmer. The lens is then dipped in scratch-guard coating to help prevent the colored coating from chipping (Step 250). Alternatively, the scratch-guard coating may be added to the colored coating when the colored coating is mixed in Step 220. Finally, the lens is again allowed to dry (Step 255).

It is to be understood that that the embodiments do not require applying the colored coating to the entire edge of an optical lens. For example, with reference to eyeglasses 200 in Figure 2a in an alternate embodiment, the colored coating is applied only to that portion of edge 110 of lens 100 not covered by frame 210.

It will be apparent to those skilled in the art that various modifications and variations can be made in the system and processes of the present invention without departing from the spirit or scope of the invention. Thus, it is intended that the present invention cover the modifications and variations of

Claims

I claim:

1. An apparatus, comprising:
 - a lens having an edge; and
 - a colored coating affixed to at least a portion of the edge of the lens.
2. The apparatus of claim 1 further comprising:
 - a scratch coating affixed to the lens.
3. The apparatus of claim 1 wherein the colored coating is opaque.
4. The apparatus of claim 1 wherein the colored coating is translucent.
5. The apparatus of claim 1 further comprising an eyeglass frame having a color wherein the lens is affixed to the eyeglass frame.
6. The apparatus of claim 5 wherein the color of the colored coating matches the color of the eyeglass frame.
7. The apparatus of claim 5 wherein the color of the colored coating does not match the color of the eyeglass frame.
8. The apparatus of claim 1 wherein the colored coating is not affixed to the face of the lens.
9. A method of applying a colored coating to a lens having an edge, comprising:

applying the colored coating to at least a portion of the edge of the lens.

10. The method of claim 9 further comprising:

removing any excess colored coating from the face of the lens.

11. The method of claim 9 further comprising:

applying a scratch-guard coating to the lens.

12. The method of claim 9 further comprising placing the lens under a heat source.

13. The method of claim 10 wherein the heat source is an ultraviolet light.

14. The method of claim 9 wherein the colored coating is opaque.

15. The method of claim 9 wherein the colored coating matches the color of an optical frame for the lens.

16. The method of claim 9 further comprising allowing the colored coating to dry before placing the lens under the heat source.

Abstract

An optical lens having a colored coating affixed to the edge of the lens. The apparatus may enhance the cosmetic appearance of eyeglasses by reducing the appearance of the white ring appearing along the perimeter of the face of lens when viewing eyeglasses from the front, and by reducing the appearance of the white film on the edge of lenses when viewing eyeglasses from the side. The apparatus may also reduce the glare of the optical lens from light entering through the edge of the lens.

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FIG. 1

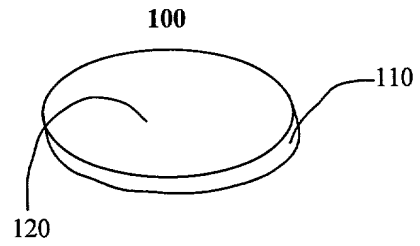


FIG. 2a

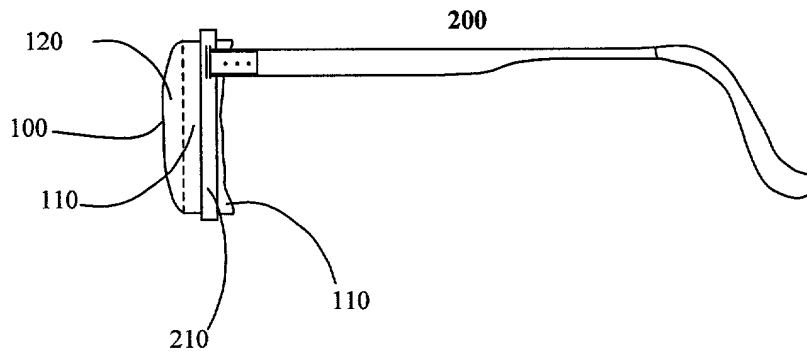
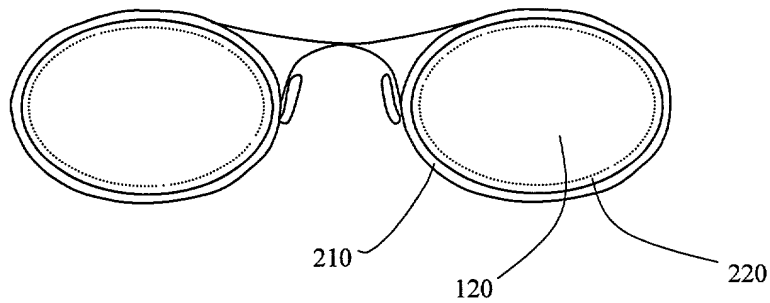
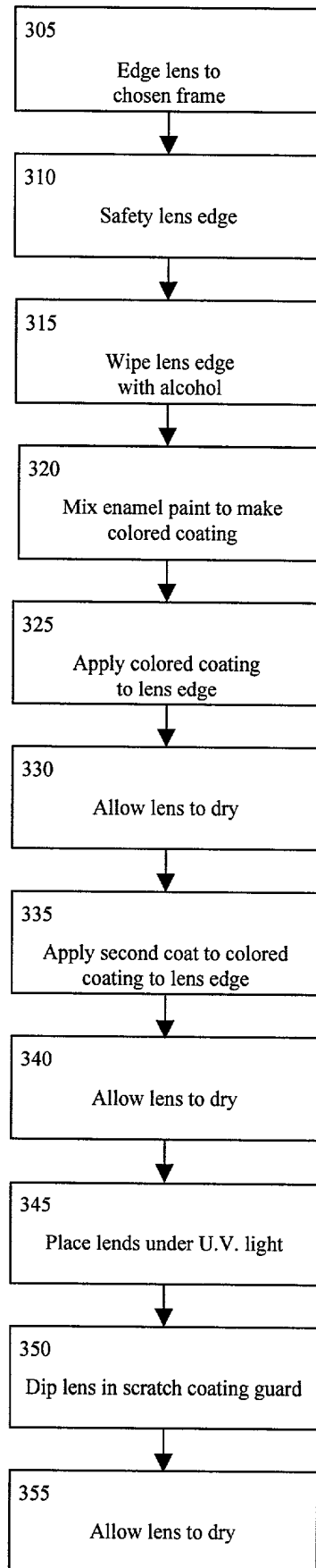


FIG. 2b



110 = Lens Edge
120 = Lens Face
210 = Frame
220 = White Ring

Figure 3



COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL LENS COATING

the specification of which

a. ☒ is attached hereto

b. ☐ was filed on _____ as application Serial No. _____ and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STATE

c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO: MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, N.Y. 10154

DIRECT TELEPHONE CALLS TO: GERARD A. HADDAD
(212) 415-8547

☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr)</u>	<u>Date of Issue (day, month, yr)</u>	<u>Priority Claimed</u>
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

☐ I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART
OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

<u>US/PCT Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)</u>

☐ In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A.

Docket No. 3845-4001

Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Kanson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,585), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddies (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haich (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285) and Walter G. Hanchuk (Reg. No. 35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and, Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

- [] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents hereinabove.

Full name of sole or first inventor Abby AYOUBInventor's signature* Abby Ayoub7/21/00
dateResidence 1413 28th Street, North Bergen, New Jersey 07047Citizenship U.S.A.Post Office Address 1413 28th Street, North Bergen, New Jersey 07047

Full name of sole or first inventor _____

Inventor's signature* _____

date

Residence _____

Citizenship _____

Post Office Address _____

- [] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein, and
2. Review the specification and the claims, including any amendments made to the claims

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

(a) A patent by its very nature is affect with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in

this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

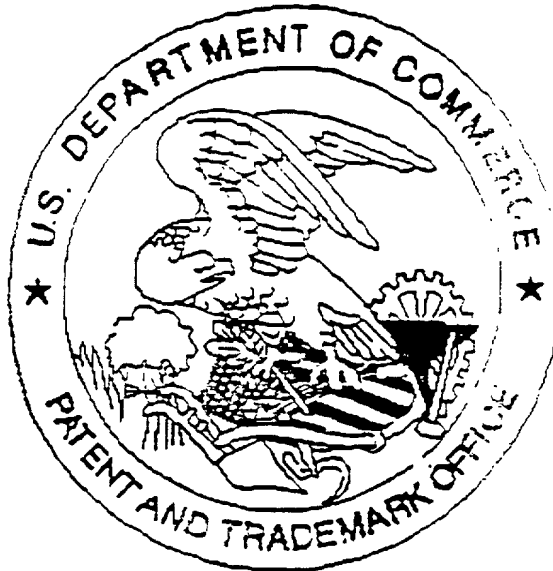
An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

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